

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

FRANK ANCONA.,)
)
)
Plaintiff,)
)
)
v.) Case No.: 4:10-cv-626 RWS
)
)
MARK TEMPLETON,)
)
)
Defendants.)

JOINT PROPOSED SCHEDULING PLAN

COME NOW the parties, by and through their attorneys, and respectfully submit a Joint Proposed Scheduling Plan pursuant to this Court's Order of May 24, 2010 (Doc. # 21):

- I. Scheduling Plan:
 1. This case has been appropriately assigned to Track 2 (Standard).
 2. All motions for joinder of additional parties or amendment of the pleadings should be filed no later than November 1, 2010.
 3. Discovery shall proceed in the following manner:
 - (a) The parties shall make all disclosures required by Rule 26(a)(1), Fed.R.Civ.P., no later than August 2, 2010.
 - (b) The parties do not anticipate the use of expert witnesses; however, (1) Plaintiff shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than August 2, 2010 and shall

make expert witnesses expected to testify at trial available for depositions no later than September 1, 2010.

(2) Defendants shall disclose all expert witnesses and provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than September 15, 2010 and shall make expert witnesses available for deposition no later than October 15, 2010.

(3) Plaintiff shall disclose rebuttal experts and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than November 15, 2010 and shall make rebuttal experts available for depositions no later than November 30, 2010.

(c) The presumptive limit of twenty-five (25) interrogatories per party as set forth in Rule 33(a), Fed.R.Civ.P., shall apply. The presumptive limit of ten (10) depositions per side as set forth in Rule 30(a)(2)(A), Fed.R.Civ.P., shall apply.

(d) The parties anticipate that there will be no requests for physical or mental examinations of parties pursuant to Rule 35, Fed.R.Civ.P.; however, any motions for such examinations shall be made by August 2, 2010.

(e) The parties shall complete all discovery in this case no later than December 23, 2010.

4. The parties believe that referral of this action to Alternative Dispute Resolution would not be useful.
5. Any dispositive motion must be filed no later than February 11, 2011. Any response shall be filed no later than 21 days after the filing of the dispositive motion. Any reply shall be filed no later than 14 days after the response.

II. Trial

The parties submit that this case will be ready for a bench trial on or after July 1, 2011. It is anticipated that the length of time to try the case to verdict is approximately two days.

Respectfully submitted,

/s/ Anthony E. Rothert
ANTHONY E. ROTHERT
ACLU of Eastern Missouri
454 Whittier Street
St. Louis, Missouri 63108
(314) 652-3114
tony@aclu-em.org

CERTIFICATE OF SERVICE

I certify that a copy of the forgoing was served upon all parties of record by operation of the CM/ECF system on June 24, 2010.

/s/ Anthony E. Rothert